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Rev. 03/19/2003

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Attorney Docket No. AMYN-001/00US

SEP 28 2005

PATENT

I hereby certify that this correspondence is being transmitted by facsimile addressed to Terry M. Johnson Vessels, Facsimile Number (703) 746-6630, at United States Patent and Trademark Office, Alexandria, VA 22314 at 2:41p on September 28, 2005.

By: Anna J. O'Connor

Anna J. O'Connor

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of Werner Paul ZWERSCHKE *et al.*

Serial No.: 10/508,766

Examiner: Unassigned

Int'l Appln No. PCT/EP03/02990

Art Unit: Unassigned

I/A Filing Date: March 21, 2003

Filed: September 22, 2004

Confirmation No: 7988

For: ANTI-HPV-16 E7 ANTIBODY AND ITS USE

U.S. Patent and Trademark Office  
Customer Window, Mail Stop Missing Parts  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

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## RESPONSE TO NOTIFICATION OF DEFECTIVE RESPONSE

In response to the Notification of Defective Response mailed September 1, 2005, enclosed are:

- ☒ copy of the Notification of Defective Response
- ☒ executed Declaration
- ☐ Power to Prosecute
- ☐ Assertion of Entitlement to Small Entity Status
- ☐ Application Data Sheet
- ☐ Other:
- ☐ A copy of the Official Filing Receipt marked in red to show corrections that are needed. Please make the following corrections in the Official Filing Receipt:

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Page 2

Issuance of a corrected filing receipt is respectfully requested.

and the payment of the following fee(s):

- ☐ Filing fee of \$
- ☐ Surcharge fee for Late Filing of Declaration of \$
- ☐ Other fees:

Total Fee due: \$\_\_.

- ☐ Check No. \_\_ in the amount of \$\_\_ for the total fee is attached.
- ☐ Please charge \$\_\_ to Deposit Account No. 50-1283 for the total fee. This paper is being submitted in duplicate.

In the Notification, the Applicants are also required to provide an initial computer-readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment specifically directing its entry into the application. However, in a Response to Notice to File Missing Parts of Application previously filed on July 22, 2005, the following statement was provided:

"As indicated in the Notification of Missing Requirements, we are requested to provide a copy of a Sequence Listing as required by 37 C.F.R. §1.821(e) as well as a computer readable form (CRF) copy of the Sequence Listing. The Applicants do not believe that a Sequence Listing must be submitted because there are no amino acid sequences of four or more naturally occurring residues or no nucleic acid sequences of ten or more bases consisting of A, T, C or G. Therefore, Applicants request that the Patent Office remove the sequence listing requirement or indicate specifically what disclosures are needed to meet the listing requirements."

Applicants, therefore, are not submitting with this response the Sequence Listing as required by the Notification of Defective Response because the specification does not contain sequences which require compliance with the Sequence Listing rules as summarized in MPEP Sec. 2421.02. It is our understanding from a telephone conference with Terry Johnson Vessels, on September 27, 2005, that our previous response and explanation was sufficient to overcome this Sequence Listing objection, and as a result this requirement will be withdrawn.

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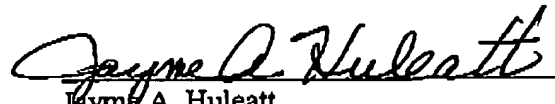
The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§1.16, 1.17, and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 50-1283.

Dated: September 28, 2005

Respectfully submitted,  
COOLEY GODWARD LLP

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## UNITED STATES PATENT AND TRADEMARK OFFICE

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U.S. APPLICATION NUMBER NO. 10/508,766	FIRST NAMED APPLICANT Werner Paul Zwerschke	ATTY. DOCKET NO. AMYN-001/00US
INTERNATIONAL APPLICATION NO. PCT/EP03/02990		
LA. FILING DATE 03/21/2003	PRIORITY DATE 03/22/2002	

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*Fig Missing Parts*  
ENTERED  
DUE: 15 SEP 2005  
EOL: 01 OCT 2005

CONFIRMATION NO. 7988  
371 FORMALITIES LETTER  
\*OC000000016882003\*  
\*OC000000016882003\*

Date Mailed: 09/01/2005

## NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495)

- Indication of Small Entity Status
- Priority Document
- Copy of the International Application filed on 09/22/2004
- Copy of the International Search Report filed on 09/22/2004
- Copy of IPE Report filed on 09/22/2004
- Preliminary Amendments filed on 09/22/2004
- Information Disclosure Statements filed on 09/22/2004
- Oath or Declaration filed on 07/22/2005
- Small Entity Statement filed on 09/22/2004
- U.S. Basic National Fees filed on 09/22/2004
- Priority Documents filed on 09/22/2004
- Power of Attorney filed on 07/22/2005

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SEP 06 2005

**COOLEY GODWARD LLP**

Applicant's response filed 07/22/2005 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 05/25/2005 have not been completed.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and International filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - The Declaration submitted on 22 July 2005 did not have the citizenship for any of the inventors.
- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after

September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment specifically directing its entry into the application: Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice MUST be returned with the response.*

TERRY M JOHNSON VESSELS

Telephone: (703) 308-9140 EXT 221

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/508,766	PCT/EP03/02990	AMYN-001/00US

FORM PCT/DO/EO/916 (371 Form) (tes Notice)